



Journal of the House

State of Indiana

121st General Assembly

First Regular Session

Twelfth Day

Monday Afternoon

January 28, 2019

The invocation was offered by Pastor Mike Bartlett of Westport Christian Church in Westport, a guest Frye.

The House convened at 1:30 p.m. with Speaker Brian C. Bosma in the Chair.

The Pledge of Allegiance to the Flag was led by Representative Eberhart.

The Speaker ordered the roll of the House to be called:

Abbott	Huston
Austin	Jackson
Aylesworth	Jordan
Bacon	Judy
Baird	Karickhoff
Barrett	Kirchhofer
Bartels	Klinker
Bartlett	Lauer
Bauer	Lehe
Beck	Lehman
Behning	Leonard
Borders	Lindauer
Boy	Lucas
T. Brown	Lyness
Burton	Macer
Campbell	Mahan
Candelaria Reardon	Manning
Carbaugh	May
Cherry	Mayfield
Chyung	McNamara
Clere	Miller
Cook	Moed
Davisson	Morris
Deal	Morrison
DeLaney	Moseley
DeVon	Negele
Dvorak	Nisly
Eberhart	Pfaff
Ellington	Pierce
Engleman	Porter
Errington	Prescott
Fleming	Pressel
Forestal	Pryor
Frizzell	Saunders
Frye	Schaibley
GiaQuinta	Shackleford
Goodin	Smaltz <input type="checkbox"/>
Goodrich	V. Smith
Gutwein	Soliday
Hamilton	Speedy <input type="checkbox"/>
Harris	Steuerwald
Hatcher	Stutzman
Hatfield ●	Sullivan
Heaton	Summers
Heine	Thompson
Hostettler	Torr

VanNatter
Wesco
Wolkins
Wright

J. Young
Zent
Ziemke
Mr. Speaker

Roll Call 38: 97 present; 2 excused; 1 not present. The Speaker announced a quorum in attendance. [NOTE: ☐ indicates those who were excused. ● indicates those that were not present.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Tuesday, January 29, 2019, at 1:30 p.m.

LEHMAN

The motion was adopted by a constitutional majority.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 7

Representatives Bartlett, Shackleford, Harris, Hatcher, Jackson, Porter, Pryor, V. Smith and Summers introduced House Concurrent Resolution 7:

A CONCURRENT RESOLUTION recognizing January as Human Trafficking Awareness Month.

Whereas, There is an opportunity to raise public awareness about human trafficking by recognizing January as Human Trafficking Awareness Month;

Whereas, Human trafficking is a major public health, human rights, economic justice, and social justice issue in the United States and throughout the world;

Whereas, Promoting education and raising awareness in the state of Indiana will allow all Hoosiers the opportunity to stand with survivors of human trafficking;

Whereas, It is important to recognize the strength and resolve of these survivors;

Whereas, It is important to believe them and provide them with a voice;

Whereas, It is important to remind them that they are not alone;

Whereas, It is critical that those seeking help or services have access to trauma-informed, survivor-centered care and treatment;

Whereas, Hoosiers must work together to educate one another about human trafficking and pursue ways to prevent human trafficking by addressing the systemic root causes behind this issue which include oppression, violence, and exploitation in communities;

Whereas, Indiana continues to collaborate with local, state, and federal stakeholders such as advocacy programs, law enforcement agencies, mental health professionals, medical professionals, and educators to identify, prevent, respond effectively to, and ultimately eliminate human trafficking;

Whereas, All Hoosiers have a stake in preventing human trafficking and all Hoosiers have the power to make a difference;

Whereas, All Hoosiers have the ability to promote dignity and respect of one another; strengthen the fabric of Hoosier communities; and build a safer, more just world; and

Whereas, All Hoosiers are encouraged to wear blue on January 31 in honor of victims and survivors of human trafficking: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly recognizes January as Human Trafficking Awareness Month.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsors: Senators Taylor, Breaux, Melton and Randolph.

House Resolution 5

Representative Boy introduced House Resolution 5:

A HOUSE RESOLUTION urging Congress to provide funding that would expand workforce training in the skills needed to succeed in clean energy industries.

Whereas, Renewable energy, such as solar, wind, and geothermal power, is the wave of the future;

Whereas, The United States of America deserves a skilled workforce that is ready and able to engineer, manufacture, and operate new technologies in the clean energy industry;

Whereas, The U.S. Department of Energy states, "The clean energy industry generates hundreds of billions in economic activity, and is expected to continue to grow rapidly in the coming years.";

Whereas, There is tremendous economic opportunity for the countries that invent, manufacture, and export clean energy technologies;

Whereas, Funding is needed to provide training in new careers, internships, and on-the-job training for clean energy industries; and

Whereas, An educated and trained workforce is essential to economic development: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana State House of Representatives urges Congress to provide funding for the training of a workforce with skills that will be necessary for the clean energy industry to invent, manufacture, and operate in the State of Indiana and the United States of America.

SECTION 2. That the Principal Clerk of the House of Representatives is hereby directed to transmit a copy of this Resolution to each member of the Indiana Congressional Delegation.

The resolution was read a first time and referred to the Committee on Employment, Labor and Pensions.

House Resolution 6

Representative Boy introduced House Resolution 6:

A HOUSE RESOLUTION encouraging the Division of Mental Health and Addiction to conduct a review of existing inpatient facilities that provide treatment for Substance Use

Disorder (SUD) in the State of Indiana and to provide recommendations to the Indiana General Assembly to increase access to SUD treatments across the state.

Whereas, The Division of Mental Health and Addiction (DMHA) with the Family and Social Services Administration works tirelessly to support all Hoosiers in need of mental health and addiction services in the State of Indiana;

Whereas, The DMHA is responsible for certifying all community mental health centers and addiction treatment service providers in the state;

Whereas, The Diagnostic and Statistical Manual of Mental Disorders is used as an authoritative guide for health care professionals to diagnose and discuss mental disorders in patients across the United States of America and around the world and emphasizes the term "Substance Use Disorder" in place of "substance abuse" and other previously used terms;

Whereas, The Substance Abuse and Mental Health Services Administration with the U.S. Department of Health and Human Services states that SUD occurs when "the recurrent use of alcohol and/or drugs causes clinically and functionally significant impairment, such as health problems, disability, and failure to meet major responsibilities at work, school, or home" and can be defined as mild, moderate, or severe;

Whereas, SUD may refer to substances including but not limited to alcohol, tobacco, cannabis, stimulants, hallucinogens, and opioids;

Whereas, The House of Representatives recognizes the importance of providing accessible SUD treatment to Hoosiers in need across Indiana;

Whereas, The House of Representatives strongly encourages that the DMHA conduct a review of existing inpatient facilities that provide treatment for SUD in the State of Indiana and to provide any recommendations to the Indiana General Assembly that would increase access to SUD treatments across the state; and

Whereas, The House of Representatives requests that any findings or recommendations by the DMHA be submitted before November 1, 2019, to the Indiana General Assembly in an electronic format under IC 5-14-6: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the House of Representatives strongly encourages the Division of Mental Health and Addiction to conduct a review of existing inpatient facilities that provide treatment for Substance Use Disorder (SUD) in the State of Indiana and to provide recommendations to the Indiana General Assembly to increase access to SUD treatments across the state.

SECTION 2. That the House of Representatives requests any findings or recommendations by the DMHA to be submitted before November 1, 2019, to the Indiana General Assembly in an electronic format under IC 5-14-6.

SECTION 3. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to the Director of the Division of Mental Health and Addiction, Kevin Moore.

The resolution was read a first time and referred to the Committee on Public Health.

House Resolution 7

Representative Judy introduced House Resolution 7:

A HOUSE RESOLUTION urging the legislative council to assign to the appropriate committee the topic of Fair Tax at the state level.

Whereas, The current tax system is considered by many to be complex, unfair, and prohibitive to saving, investment, and job creation;

Whereas, The Fair Tax plan is a sales tax proposal to replace the current income tax structure;

Whereas, A federal Fair Tax plan abolishes all personal and corporate income taxes and all taxes on gifts, estates, capital gains, alternative minimums, Social Security, Medicare, and self-employment; and

Whereas, Indiana has shown a commitment to reduce taxes in the past, so further study of a Fair Tax plan at the state level might benefit Hoosiers: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the legislative council is urged to assign to the appropriate committee the topic of Fair Tax at the state level.

The resolution was read a first time and adopted by voice vote.

House Resolution 8

Representative Judy introduced House Resolution 8:

A HOUSE RESOLUTION urging the legislative council to assign to the appropriate committee the topic of lowering the state income tax to 3.09 percent.

Whereas, The system of taxation in the state of Indiana is a very large and complex body of law;

Whereas, Americans today pay more taxes than at any other time in the nation's history; and

Whereas, Further study of this issue will benefit all Hoosiers: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the legislative council is urged to assign to the appropriate committee the topic of lowering the state income tax level to 3.09 percent.

The resolution was read a first time and adopted by voice vote.

House Resolution 10

Representative Goodin introduced House Resolution 10:

A HOUSE RESOLUTION urging the legislative council to assign to the appropriate study committee the topic of requiring school corporations to include in the school's curriculum a study of the Holocaust for students in grades 6 through 8.

Whereas, Indiana law requires that each school corporation include in the school corporation's social studies curriculum a study of the Holocaust in each high school United States history course;

Whereas, It is important for all Hoosiers at a young age to learn about the tragedy and atrocities of the Holocaust; and

Whereas, It is appropriate to assess a requirement for school corporations to include in the school's curriculum a study of the Holocaust for students in grades 6 through 8: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the legislative council is urged to assign to the appropriate study committee the topic of requiring school corporations to include in the school's curriculum a study of the Holocaust for students in grades 6 through 8.

The resolution was read a first time and adopted by voice vote.

House Resolution 11

Representative V. Smith introduced House Resolution 11:

A HOUSE RESOLUTION recognizing the Eighth Annual Bill Johnson Black Film Festival.

Whereas, African American Achievers Youth Corps, Inc., partners with other local groups to sponsor a film festival dedicated to Gary native William L. Johnson, which is hosted by the actor;

Whereas, William Johnson is a graduate of Emerson School for the Visual and Performing Arts in Gary and has had starring roles in many theatrically released projects, including a lead role in "Blue Hill Avenue", which garnered top honors at the Acapulco and Black Hollywood film festivals;

Whereas, More than just an actor, William Johnson's goal is to "reinvest the majority of his earnings into a structured business that supports the advancement of the urban community. By spreading the message of self-reliance and providing opportunities to qualified individuals from disadvantaged backgrounds, he hopes to break the cycle that keeps generations impoverished";

Whereas, Equally important to William Johnson is his passion to deliver conscious messages through his music using his stage persona, "Brotha Bill";

Whereas, William Johnson has been involved in more than 20 film projects and independent short films and features, including "Motives 2", "The Mannsfield 12", "Crossover", "Doing Hard Time", "Tears of a Clown", "Motives", "Move", "Wanted: Soulful Energy Xchange", "Two Degrees", "Nothing Like Thanksgiving", and "Perfectly Single";

Whereas, The eighth annual Bill Johnson Black Film Festival will feature the films "Under the Law" by Bill Anaya; "Reflect" by Allen Cross; "Showtime" by Shawn Antoine II; "Insomnia Nights" by Richie Wenzler; "Unarmed" by Krystal Bolden; "Stud" by Casiano Hamer; "Asia A" by Andrew Reid; "Two Headed Women" by Damien Wash; "Perfectly Single" by Van Elder; "Living" by Marcellus Cox; "What If" by Antonio Jefferson; "Until Then" by Andrew H. Miller; "The Reckoning" by Chris Reese; "Beyond the Silence" by William M. Barbee; "Keeping David" by Rodney Mark Johnson; "Pure Justice" by Vickie Adams; and "Letting Go" by Phil Bernardin.

Whereas, The Bill Johnson Black Film Festival came about as an idea to provide wholesome entertainment for northwest Indiana, expose the northwest Indiana community to quality Black films, to help northwest Indiana come together to share ideas, and to hold discussions surrounding film messages; and

Whereas, The arts are a valuable tool in creating an atmosphere of understanding and open discussions to help bring communities together in a meaningful way: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives recognizes the value to the community of the eighth annual Bill Johnson Black Film Festival and thanks William L. Johnson for dedicating his time and energy to this worthwhile project.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to the African American Achievers Youth Corps, Inc., and William L. Johnson.

The resolution was read a first time and adopted by voice vote.

House Resolution 12

Representative Karickhoff introduced House Resolution 12:

A HOUSE RESOLUTION urging the United States Forest Service to establish an off-road vehicles (ORVs) trail system.

Whereas, Off-road vehicles (ORVs) are used by many Americans for recreation and work-related activities;

Whereas, Many national forests in Michigan, Kentucky, and Ohio allow the use of ORVs on designated forest trails;

Whereas, Currently, the Hoosier National Forest does not allow the use of ORVs on any trails; and

Whereas, The creation or designation of trails for the general use of ORVs in the Hoosier National Forest would encourage greater outdoor recreation and economic benefits for rural communities near the Hoosier National Forest and Indiana at large; Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives urges the United States Forest Service to establish an ORV trail system utilizing the full 15,300 acres identified in the Off-Road Vehicle Used Areas (1987) to allow greater use of the Hoosier National Forest for the recreational and economic benefit of the citizens of Indiana.

SECTION 2. That the Indiana House of Representatives urges a timely administrative process for the action through an amendment or similarly appropriate alteration to the current Land and Resource Management Plan and Travel Management Plan.

SECTION 3. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Vicki Christiansen, chief of the United States Forest Service.

The resolution was read a first time and referred to the Committee on Natural Resources

Senate Concurrent Resolution 5

The Speaker handed down Senate Concurrent Resolution 5, sponsored by Representative Wolkins:

A CONCURRENT RESOLUTION honoring the Oak Hill High School Golden Eagles on winning the 2018 Indiana High School Athletic Association ("IHSAA") Class 2A Boys Basketball Championship.

Whereas, The Oak Hill High School Golden Eagles defeated a physical Forest Park High School at Bankers Life Fieldhouse with a score of 56-44 to secure the school's first basketball state championship;

Whereas, The Golden Eagles overcame a tough path to the championship in defeating regionally ranked No. 1 Covington, No. 8 Tipton, and No. 2 Westview;

Whereas, Oak Hill's Caleb Middlesworth scored 25 points en route to the team's victory, more than doubling any player from the opposing team;

Whereas, Oak Hill seniors Reid Newhouse, Cal Mann, and David Arens along with sophomore Tahj Johnson, made major contributions including three steals by Mann, 13 points by Arens, and a solid defense that prompted 20 turnovers to help the Golden Eagles attain victory; and

Whereas, The Golden Eagles finished their season with an impressive 26-5 record to achieve what no other basketball team had ever achieved before in the school's history: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly honors the Oak Hill High School Golden Eagles on winning the 2018 IHSAA 2A Boys State Basketball Championship.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this resolution to members of the 2018 Oak Hill High School Golden Eagles boys basketball team.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

Senate Concurrent Resolution 10

The Speaker handed down Senate Concurrent Resolution 10, sponsored by Representative McNamara:

A CONCURRENT RESOLUTION congratulating the Evansville North High School girls golf team on winning the 2018 Indiana High School Athletic Association ("IHSAA") state championship title.

Whereas, The Evansville North High School girls golf team started its 2018 tournament run by winning both the sectional and regional championships before finishing the season as IHSAA state champions;

Whereas, The Huskies began the state finals with a first round score of 308 to tie for the tournament lead with Zionsville High School;

Whereas, In the final round, the Huskies shot a state finals record score of 297 to win the tournament with a two-day total score of 605, finishing seven strokes ahead of their nearest competition;

Whereas, Senior Katelyn Skinner tied for second place individually with a total score of 149 and was named the 2018 IHSAA Girls Golf Mental Attitude Award Winner;

Whereas, Skinner, junior Abigail Whittington, and freshman Chloe Johnson earned selection to the 2018 All-State team; and

Whereas, Playing remarkable golf in the state tournament, the Evansville North High School girls golf team earned the school's fourth state championship title in five years: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly congratulates the Evansville North High School girls golf team on winning the 2018 IHSAA state championship title.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this resolution to John Skinner, Principal of Evansville North High School, Andrew Huff, Athletic Director of Evansville North High School, Ken Wempe, Head Coach of the Evansville North High School girls golf team, and each member of the Evansville North High School girls golf team.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

HOUSE BILLS ON SECOND READING

Pursuant to House Rule 143.1, the following bills which had no amendments filed, were read a second time by title and ordered engrossed: House Bills 1010, 1080, 1116, 1140, 1186, 1208, 1212, 1268, 1294, 1295, 1344, 1394, 1545 and 1605.

House Bill 1002

Representative Sullivan called down House Bill 1002 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1002-3)

Mr. Speaker: I move that House Bill 1002 be amended to read as follows:

Page 7, line 7, delete "fifty" and insert "**twenty-five**".

Page 7, line 8, delete "(50%)" and insert "**(25%)**".

(Reference is to HB 1002 as printed January 25, 2019.)

DELANEY

Upon request of Representatives GiaQuinta and Pierce, the Speaker ordered the roll of the House to be called. Roll Call 39: yeas 31, nays 65. Motion failed.

Representative Hatfield, who had not been present, is now excused.

HOUSE MOTION
(Amendment 1002-2)

Mr. Speaker: I move that House Bill 1002 be amended to read as follows:

Page 3, line 10, after "grants" insert ":

(1) for payment of salary for instructors employed under IC 20-28-5-22; and

(2)".

Page 7, between lines 37 and 38, begin a new paragraph and insert:

"(c) The salary of an instructor described in this section may be paid only from a grant awarded by the governor's workforce cabinet from the career coaching grant fund established by IC 4-3-27-15."

(Reference is to HB 1002 as printed January 25, 2019.)

DELANEY

Upon request of Representatives GiaQuinta and Pierce, the Speaker ordered the roll of the House to be called. Roll Call 40: yeas 32, nays 64. Motion failed. The bill was ordered engrossed.

House Bill 1064

Representative Frye called down House Bill 1064 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1064-2)

Mr. Speaker: I move that House Bill 1064 be amended to read as follows:

Page 3, delete lines 1 through 2.

Page 3, line 3, delete "(8)" and insert "(7)".

Page 3, delete lines 24 through 29.

(Reference is to HB 1064 as printed January 25, 2019.)

FRYE

Motion prevailed. The bill was ordered engrossed.

Representative Smaltz, who had been excused, is now present.

House Bill 1136

Representative Burton called down House Bill 1136 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1136-2)

Mr. Speaker: I move that House Bill 1136 be amended to read as follows:

Page 1, delete lines 1 through 18.

Delete pages 2 through 5.

Page 6, delete lines 1 through 3.

Page 10, delete lines 34 through 35.

Page 10, line 36, delete "and".

Page 10, line 37, delete "in subdivision (n)".

Renumber all SECTIONS consecutively.

(Reference is to HB 1136 as printed January 25, 2019.)

LEHMAN

Motion prevailed.

HOUSE MOTION
(Amendment 1136-3)

Mr. Speaker: I move that House Bill 1136 be amended to read as follows:

Delete the title and insert the following:

A BILL FOR AN ACT concerning trade regulation.

Page 1, delete lines 1 through 18.

Delete pages 2 through 14.

Page 15, delete lines 1 through 11.

Renumber all SECTIONS consecutively.

(Reference is to HB 1136 as printed January 25, 2019.)

SHACKLEFORD

Upon request of Representatives GiaQuinta and Pierce, the Speaker ordered the roll of the House to be called. Roll Call 41: yeas 30, nays 65. Motion failed. The bill was ordered engrossed.

House Bill 1217

Representative Soliday called down House Bill 1217 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1217-1)

Mr. Speaker: I move that House Bill 1217 be amended to read as follows:

Page 6, between lines 18 and 19, begin a new paragraph and insert:

"SECTION 10. IC 3-11-4-1, AS AMENDED BY P.L.66-2010, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2020]: Sec. 1. (a) A voter who is otherwise qualified to vote in person is entitled to vote by absentee ballot: ~~Except~~

(1) by mail;

(2) before an absentee voter board as otherwise provided in this article; a voter voting by absentee ballot must vote

(3) in the office of the circuit court clerk (or board of elections and registration in a county subject to IC 3-6-5.2); or

(4) at a satellite office established under IC 3-11-10-26.3.

(b) A county election board, by unanimous vote of its entire membership, may authorize a person who is otherwise qualified to vote in person to vote by absentee ballot if the board determines that the person has been hospitalized or suffered an injury following the final date and hour for applying for an absentee ballot that would prevent the person from voting in person at the polls.

(c) The commission, by unanimous vote of its entire membership, may authorize a person who is otherwise qualified to vote in person to vote by absentee ballot if the commission determines that an emergency prevents the person from voting in person at a polling place.

(d) The absentee ballots used in subsection (b) or (c) must be the same official absentee ballots as described in section 12.5 of this chapter. Taking into consideration the amount of time remaining before the election, the commission shall determine whether the absentee ballots are transmitted to and from the voter by mail or personally delivered. An absentee ballot that is personally delivered shall comply with the requirements in sections 19, 20, and 21 of this chapter.

SECTION 11. IC 3-11-4-2, AS AMENDED BY P.L.169-2015, SECTION 96, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2020]: Sec. 2. (a) A voter who wants to vote by absentee ballot must apply to the county election board for an official absentee ballot. Except as

provided in subsection (b), the voter must sign the absentee ballot application.

(b) If a voter with disabilities is unable to sign the absentee ballot application and the voter has not designated an individual to serve as attorney in fact for the voter, the voter may designate an individual eligible to assist the voter under IC 3-11-9-2(a) to sign the application on behalf of the voter and add the individual's name to the application. If an individual applies for an absentee ballot as the properly authorized attorney in fact for a voter, the attorney in fact must attach a copy of the power of attorney to the application and comply with subsection (d).

(c) A person may provide an individual with an application for an absentee ballot with the following information already printed or otherwise set forth on the application when provided to the individual:

- (1) The name of the individual.
- (2) The voter registration address of the individual.
- (3) The mailing address of the individual.
- (4) The date of birth of the individual.

(d) A person may not provide an individual with an application for an absentee ballot with the following information already printed or otherwise set forth on the application when provided to the individual:

- (1) The address to which the absentee ballot would be mailed, if different from the voter registration address of the individual.
- (2) In a primary election, the major political party ballot requested by the individual.
- (3) In a primary or general election, the types of absentee ballots requested by the individual.

~~(4) The reason why the individual is entitled to vote an absentee ballot:~~

~~(A) by mail; or~~

~~(B) before an absentee voter board (other than an absentee voter board located in the office of the circuit court clerk or a satellite office);~~

~~in accordance with IC 3-11-4-18, IC 3-11-10-24, or IC 3-11-10-25.~~

~~(5) (4) The voter identification number of the individual.~~

(e) If the county election board determines that an absentee ballot application does not comply with subsection (d), the board shall deny the application under section 17.5 of this chapter.

(f) A person who assists an individual in completing any information described in subsection (d) on an absentee ballot application shall state under the penalties for perjury the following information on the application:

- (1) The full name, residence and mailing address, and daytime and evening telephone numbers (if any) of the person providing the assistance.
- (2) The date this assistance was provided.
- (3) That the person providing the assistance has complied with Indiana laws governing the submission of absentee ballot applications.
- (4) That the person has no knowledge or reason to believe that the individual submitting the application:

(A) is ineligible to vote or to cast an absentee ballot; or

(B) did not properly complete and sign the application.

When providing assistance to an individual, the person must, in the individual's presence and with the individual's consent, provide the information listed in subsection (d) if the individual is unable to do so.

(g) This subsection does not apply to an employee of the United States Postal Service or a bonded courier company acting in the individual's capacity as an employee of the United States Postal Service or a bonded courier company. A person who receives a completed absentee ballot application from the individual who has applied for the absentee ballot shall indicate on the application the date the person received the application, and file the application with the appropriate county election

board not later than:

- (1) noon ten (10) days after the person receives the application; or
- (2) the deadline set by Indiana law for filing the application with the board;

whichever occurs first. The election division, a county election board, or a board of elections and registration shall forward an absentee ballot application to the county election board or board of elections and registration of the county where the individual resides.

(h) This subsection does not apply to an employee of the United States Postal Service or a bonded courier company acting in the individual's capacity as an employee of the United States Postal Service or a bonded courier company, or to the election division, a county election board, or a board of elections and registration. A person filing an absentee ballot application, other than the person's own absentee ballot application, must sign an affidavit at the time of filing the application. The affidavit must be in a form prescribed by the election division. The form must include the following:

(1) A statement of the full name, residence and mailing address, and daytime and evening telephone numbers (if any) of the person submitting the application.

(2) A statement that the person filing the affidavit has complied with Indiana laws governing the submission of absentee ballot applications.

(3) The date (or dates) that the absentee ballot applications attached to the affidavit were received.

(4) A statement that the person has no knowledge or reason to believe that the individual whose application is to be filed:

(A) is ineligible to vote or to cast an absentee ballot; or

(B) did not properly complete and sign the application.

(5) A statement that the person is executing the affidavit under the penalties of perjury.

(6) A statement setting forth the penalties for perjury.

(i) The county election board shall record the date and time of the filing of the affidavit."

Page 8, between lines 21 and 22, begin a new paragraph and insert:

"SECTION 14. IC 3-11-4-18, AS AMENDED BY P.L.100-2018, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2020]: Sec. 18. (a) ~~If a voter satisfies any of the qualifications described in IC 3-11-10-24 that entitle a voter to cast an absentee ballot by mail;~~ The county election board shall, at the request of ~~the a~~ voter, mail ~~the an~~ official ballot, postage fully prepaid, to the voter at the address stated in the application. Each ballot may be assigned a unique tracking number as prescribed by the election division using IMb Tracing or a similar automated tracking method to provide real-time tracking information for the envelope containing the ballot. As used in this subsection, "IMb Tracing" refers to a real-time mail tracking service offered through the United States Postal Service.

(b) If the county election board mails an absentee ballot to a voter required to file additional documentation with the county voter registration office before voting by absentee ballot under this chapter, the board shall include a notice to the voter in the envelope mailed to the voter under section 20 of this chapter. The notice must inform the voter that the voter must file the additional documentation required under IC 3-7-33-4.5 with the county voter registration office not later than noon on election day for the absentee ballot to be counted as an absentee ballot, and that, if the documentation required under IC 3-7-33-4.5 is filed after noon and before 6 p.m. on election day, the ballot will be processed as a provisional ballot. The election division shall prescribe the form of this notice under IC 3-5-4-8.

(c) Except as provided in this subsection, section 18.5 of this chapter, or IC 3-11-10-26.5, the ballot shall be transmitted:

- (1) on the day of the receipt of the voter's application; or

(2) not more than five (5) days after the date of delivery of the ballots under section 15 of this chapter; whichever is later. If the election board determines that the county voter registration office has received an application from the applicant for registration at an address within the precinct indicated on the application, and the election board determines that this application is pending under IC 3-7-33, the ballot shall be mailed on the date the county voter registration office indicates under IC 3-7-33-5(g) that the applicant is a registered voter.

(d) As required by 52 U.S.C. 21081, an election board shall establish a voter education program (specific to a paper ballot or optical scan ballot card provided as an absentee ballot under this chapter) to notify a voter of the effect of casting multiple votes for a single office.

(e) As provided by 52 U.S.C. 21081, when an absentee ballot is transmitted under this section, the mailing must include:

- (1) information concerning the effect of casting multiple votes for an office; and
- (2) instructions on how to correct the ballot before the ballot is cast and counted, including the issuance of replacement ballots."

Page 8, between lines 32 and 33, begin a new paragraph and insert:

"SECTION 16. IC 3-11-10-24, AS AMENDED BY P.L.169-2015, SECTION 119, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2020]: Sec. 24. (a) Except as provided in subsection (b), a voter who satisfies any of the following is entitled to vote by mail.

(1) The voter has a specific, reasonable expectation of being absent from the county on election day during the entire twelve (12) hours that the polls are open:

(2) The voter will be absent from the precinct of the voter's residence on election day because of service as:

(A) a precinct election officer under IC 3-6-6;

(B) a watcher under IC 3-6-8, IC 3-6-9, or IC 3-6-10;

(C) a challenger or pollbook holder under IC 3-6-7; or

(D) a person employed by an election board to administer the election for which the absentee ballot is requested:

(3) The voter will be confined on election day to the voter's residence; to a health care facility; or to a hospital because of an illness or injury during the entire twelve (12) hours that the polls are open:

(4) The voter is a voter with disabilities:

(5) The voter is an elderly voter:

(6) The voter is prevented from voting due to the voter's care of an individual confined to a private residence because of illness or injury during the entire twelve (12) hours that the polls are open:

(7) The voter is scheduled to work at the person's regular place of employment during the entire twelve (12) hours that the polls are open:

(8) The voter is eligible to vote under IC 3-10-11 or IC 3-10-12:

(9) The voter is prevented from voting due to observance of a religious discipline or religious holiday during the entire twelve (12) hours that the polls are open:

(10) The voter is an address confidentiality program participant (as defined in IC 5-26.5-1-6):

(11) The voter is a member of the military or public safety officer:

(12) The voter is a serious sex offender (as defined in IC 35-42-4-14(a)):

(13) The voter is prevented from voting due to the unavailability of transportation to the polls:

(b) A voter with disabilities who:

(1) is unable to make a voting mark on the ballot or sign the absentee ballot secrecy envelope; and

(2) requests that the absentee ballot be delivered to an address within Indiana;

must vote before an absentee voter board under section 25(b) of this chapter.

(c) If a voter receives an absentee ballot by mail, the voter shall personally mark the ballot in secret and seal the marked ballot inside the envelope provided by the county election board for that purpose. The voter shall:

(1) deposit the sealed envelope in the United States mail for delivery to the county election board; or

(2) authorize a member of the voter's household or the individual designated as the voter's attorney in fact to:

(A) deposit the sealed envelope in the United States mail; or

(B) deliver the sealed envelope in person to the county election board.

(d) If a member of the voter's household or the voter's attorney in fact delivers the sealed envelope containing a voter's absentee ballot to the county election board, the individual delivering the ballot shall complete an affidavit in a form prescribed by the election division. The affidavit must contain the following information:

(1) The name and residence address of the voter whose absentee ballot is being delivered.

(2) A statement of the full name, residence and mailing address, and daytime and evening telephone numbers (if any) of the individual delivering the absentee ballot.

(3) A statement indicating whether the individual delivering the absentee ballot is a member of the voter's household or is the attorney in fact for the voter. If the individual is the attorney in fact for the voter, the individual must attach a copy of the power of attorney for the voter, unless a copy of this document has already been filed with the county election board.

(4) The date and location at which the absentee ballot was delivered by the voter to the individual delivering the ballot to the county election board.

(5) A statement that the individual delivering the absentee ballot has complied with Indiana laws governing absentee ballots.

(6) A statement that the individual delivering the absentee ballot is executing the affidavit under the penalties of perjury.

(7) A statement setting forth the penalties for perjury.

(e) The county election board shall record the date and time that the affidavit under subsection (d) was filed with the board.

(f) After a voter has mailed or delivered an absentee ballot to the office of the circuit court clerk, the voter may not recast a ballot, except as provided in section 1.5 of this chapter."

Renumber all SECTIONS consecutively.

(Reference is to HB 1217 as printed January 25, 2019.)

HAMILTON

Upon request of Representatives GiaQuinta and Porter, the Speaker ordered the roll of the House to be called. Roll Call 42: yeas 31, nays 63. Motion failed. The bill was ordered engrossed.

House Bill 1280

Representative Wolkins called down House Bill 1280 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1462

Representative Smaltz called down House Bill 1462 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

ENGROSSED HOUSE BILLS ON THIRD READING

Engrossed House Bill 1004

Representative McNamara called down Engrossed House Bill 1004 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 43: yeas 96, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Raatz and Crider.

Engrossed House Bill 1008

Representative Behning called down Engrossed House Bill 1008 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 44: yeas 98, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Raatz, Kruse and Melton.

Engrossed House Bill 1009

Representative DeVon called down Engrossed House Bill 1009 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning higher education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 45: yeas 98, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Raatz, Kruse and Lanane.

Engrossed House Bill 1021

Representative Thompson called down Engrossed House Bill 1021 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 46: yeas 97, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Bassler and Melton.

Engrossed House Bill 1034

Representative Thompson called down Engrossed House Bill 1034 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 47: yeas 96, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Holdman and Taylor.

Engrossed House Bill 1139

Representative Burton called down Engrossed House Bill 1139 for third reading:

A BILL FOR AN ACT concerning labor and safety.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 48: yeas 98, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Boots and Niezgodski.

Engrossed House Bill 1200

Representative Frizzell called down Engrossed House Bill 1200 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 49: yeas 97, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Charbonneau, Becker and Breaux.

Engrossed House Bill 1246

Representative Davisson called down Engrossed House Bill 1246 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 50: yeas 96, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Grooms.

OTHER BUSINESS ON THE SPEAKER'S TABLE

HOUSE MOTION

Mr. Speaker: I move that Representative Steuerwald be added as coauthor of House Bill 1021.

THOMPSON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives May and Macer be added as coauthors of House Bill 1064.

FRYE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Soliday be removed as coauthor of House Bill 1123.

ELLINGTON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Burton be removed as author of House Bill 1135 and Representative VanNatter be added as author.

BURTON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Manning be added as coauthor of House Bill 1175.

ZIEMKE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Bacon be added as coauthor of House Bill 1177.

ZIEMKE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Bacon be added as coauthor of House Bill 1200.

FRIZZELL

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Macer be added as coauthor of House Bill 1234.

PRESSEL

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Campbell be added as coauthor of House Bill 1242.

PRYOR

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Fleming be added as coauthor of House Bill 1246.

DAVISSON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Fleming be added as coauthor of House Bill 1248.

DAVISSON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Campbell be added as coauthor of House Bill 1281.

ERRINGTON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Bauer be added as coauthor of House Bill 1340.

PRESSEL

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Heaton be added as coauthor of House Bill 1350.

CLERE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Barrett be added as coauthor of House Bill 1380.

FLEMING

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Huston, Pierce and Hatfield be added as coauthors of House Bill 1406.

SOLIDAY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Fleming be added as coauthor of House Bill 1416.

GOODIN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives GiaQuinta and Pryor be added as coauthors of House Bill 1427.

LEONARD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Ellington be added as coauthor of House Bill 1447.

BURTON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Steuerwald, Dvorak and Porter be added as coauthors of House Bill 1453.

YOUNG

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Wolkins be added as coauthor of House Bill 1481.

BORDERS

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Clere, Mayfield and Moed be added as coauthors of House Bill 1517.

SMALTZ

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Engleman and Fleming be added as coauthors of House Bill 1532.

STUTZMAN

Motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Engrossed Senate Bills 80, 112, 132, 141, 170, 175, 176, 178, 189, 197, 203 and 324 and the same are herewith transmitted to the House for further action.

JENNIFER L. MERTZ
Principal Secretary of the Senate

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Goodrich, the House adjourned at 3:21 p.m., this twelfth day of January, 2019, until Tuesday, January 29, 2019, at 1:30 p.m.

BRIAN C. BOSMA
Speaker of the House of Representatives

M. CAROLINE SPOTTS
Principal Clerk of the House of Representatives